

# BIRMINGHAM CITY COUNCIL

**TRUST AND CHARITIES  
COMMITTEE  
15 JANUARY 2024**

**MINUTES OF A MEETING OF THE TRUSTS AND CHARITIES COMMITTEE  
HELD ON MONDAY 15 JANUARY 2024 AT 1130 HOURS IN COMMITTEE  
ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM**

**PRESENT:** - Councillor Marcus Bernasconi in the Chair.

Councillors David Pears, Phil Davis, Maureen Cornish and Basharat Mahmood.

**ALSO, PRESENT:** -

Paul Ruffle – Senior Travel Demand Officer  
Rajesh Parmar – Legal Services  
Alison Jarrett – Director of Group and Capital Finance  
Nigel Oliver – Operational Property Manager  
Sofia Mirza – Committee Services

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**NOTICE OF RECORDING**

- 1115 It was noted that the meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

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**DECLARATIONS OF INTEREST**

- 1116 None submitted.

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**APOLOGIES**

- 1117 Councillor Zafar Iqbal and Kath Scott.

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**MINUTES**

- 1118 The Minutes of the meeting of the Committee held on 13 November 2023, having been circulated, were confirmed by the Committee, and signed by the Chair.

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**COMMISSIONERS REVIEW AND COMMENTS ON THE AGENDA**

It was noted that there were no review and comments on the agenda, however, prior to the publication of the report under Item 8 on Highbury Trust there were emails exchanged between both the commissioners and officers before the final report was published.

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**REPORT NO. 6 – YOUNG ACTIVE TRAVEL TRUST GRANTS  
APPLICATIONS FOR JANUARY 2024**

The Senior Travel Demand officer presented the report to members on behalf of the Assistant Director of Transport and Connectivity. The officer explained that it was his role to promote safe and sustainable travel to school, to see less congestion outside the school gates, and have less people coming to school in the car whilst promoting a sustainable means of travelling to school.

The school that wished to apply for funding of the grant must have registered to Mode shift stars, which is a national programme funded by the Department of Transport. The programme promotes sustainable travel to school. The school must have completed a school travel survey within 12 months. The Travel Survey asked two questions of the staff and the pupils: How do you currently travel to school and how would you prefer to travel to school? From the answers of the Travel Survey, the school must have started to write their school travel plan, which shows how they will make changes to the school journeys. Applications were invited from schools during the winter term between the 11<sup>th</sup> of September to 17<sup>th</sup> November 2023.

The applications were examined by the assessment panel on 21<sup>st</sup> November 2023. Members of the panel included Paul Ruffle colleagues from the Travel Demand Team and School Crossings Team. The applications were presented approved to the spending board for approval on 6<sup>th</sup> December and to the contracts team and the legal services team on 30<sup>th</sup> November before being presented to the Committee.

They have been presented and approved by the Transport Highways Group and the Transport Highways build on the 30<sup>th</sup> of November and the 8<sup>th</sup> of December.

There was one application from Kings Norton Boys School. They requested £1000 for a bike repair station that will benefit 720 pupils. They are trying to encourage more pupils to cycle to school. As of the last meeting on 13<sup>th</sup> November, the remaining balance of the fund was £35,836.35, if the application was approved, then the remaining balance would be £34,836.35.

Councillor Pears raised the question of how many applications in consultation are pending for the next meeting. The officer stated that there were currently 2 applications that will be brought to the next meeting in March.

1119

**RESOLVED: -**

The report and funding for the applications were agreed by members.

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**REPORT NO. 7 – BIRMINGHAM MUNICIPAL CHARITY – DRAFT  
PROMOTIONS STRATEGY REPORT**

A report was presented by the Director of Group and Capital Finance Alison Jarrett.

The Director asked members to note the contents of two appendices as they give the background of the charity, how it was formed with several charities coming together. The Birmingham Municipal Charity was established in 2011, it has made various donations and grants to recipients across Birmingham. In the last five years it has rarely gone above £10,000. In the last meeting members of this committee were concerned and wanted to understand how this could be increased and how could improvements be made. There are healthy balances within the fund, so a draft strategy has been proposed. The second appendix is the application form which will arise from any elements that are changed on the strategy.

At present, £25,000 is transferred into usable balances per annum, there is £25,000 available to make grants with. In previous years, there has been a subcommittee of this committee that has made all the approvals up to £5000 and then anything more than that must come to the full trust. The Director asked the committee if they would wish to reconsider whether this is reinstated.

Within appendix one there are some proposals for how we might improve the reach of the charity and invite more applications. If the full £25,000 is reached because we promote it and are successful, then there is the question of what will happen for the rest of the year and how the Committee wishes to advertise or whether it wishes to make so much available per quarter.

The draft strategy sets out proposals and options and the application form will follow on from what the committee decides it wants to change or improve the process.

Councillor Pears asked how much is available in unrestricted funds, if £25,000 is agreed a year and we get some good cases we may have latitude to agree them. The Director agreed that it was a good idea, however, requests are still needed across all of Birmingham. If this process is successful and there is an increase in applications coming in, we may end up payout out a large sum. Therefore, the future needs to be considered.

The last set of accounts were draft accounts, they were not split and restricted so as a result they will take longer to look at. Overall, there is over £760,000 the amount that we put into unrestricted is within the gift of the committee.

Councillor Cornish stated that it was essential for the charity to be promoted as widely as possible, which can be done through elected members. Funding needs to be realistic and manageable for the long term. It should also be promoted to elected members who are not aware of this charity. The Chair added further comments and stated there needs to be a website presence and perhaps reinstating a resource charge. It was further stated by Councillor Cornish that if we want to ensure the fund is well advertised, we must

resource that work which will involve using some of the money that currently sits in the account.

The Director raised members attention to the fund awards section under Item 5, the amount of the annual allocation was £24,000. There is a consideration that each year should be a net of previous unused spend so if the full amount of £24,000 is not used it rolls over and therefore more money in the pot to be issued. As there was so much unspent money for the next 12 months the cap can be a lot higher. Alison further stated that the best way of ensuring fairness across the city when it comes to applying for the funding is along the lines of parliamentary constituency boundaries and then Ward Councillors can then promote the fund to organisations in the area.

Councillor Pears argued that Councillors for the constituency will almost have to vote on which applications they are going to support going forward, so there is the risk of putting in a layer of bureaucracy into the process which could delay the applicant being successful. The Director replied and stated that the idea was that it was up to individual councillors to work with organisations if they would like to put an application in rather than have everyone meet up to then agree which application for a particular constituency they would want to support.

Councillor Davis commented that some structure is necessary as the problem at present is that it seems to be a 'free for all' and that if you are on the committee and the municipal charity, you are in a good position to get some money for your ward. But there needs to be a system that raises awareness of the funding to colleagues. The Director replied and stated that even with an upper limit such as £10,00 per constituency for example, it may be still that we do not allocate the full amount in a financial year and find that we still have money available to carry forward. The Director asked the committee if they were happy for a further report to come to the March meeting outlining the commitment to officer time being resourced for this piece of work and for confirmation that we seek to dispense a figure around £10,000 per constituency in the financial year beginning April 2024. Furthermore, some consideration if there is an influx of applications once the new promotional strategy has been implemented it may be that we have a virtual sub-committee meeting. If that is within the standing orders of the committee that would allow us between our Trust and Charities meetings that are already in the diary, perhaps to occur on a quarterly basis as Councillor Pears suggested to approve any applications to the Birmingham Municipal Charity.

1120

**RESOLVED:** -

It was agreed by the Committee that they were happy to receive the report in the March meeting. Members agreed of the recommendations under Item 7 of the report. Members agreed if any applications are received before the end of the financial year and the proposals have not yet been agreed then they will fall under the old rules and not the new proposals.

**REPORT NO. 8 – Highbury Trust Report – Update on Progress**

Councillor Davis declared an interest for this item and stated that he has a dispensation to speak but not vote and would leave the room once voting commenced.

A report was provided by the Assistant Director of Corporate Landlord and was presented by the Operational Property Manager to the members.

The lottery has made an announcement with regards to the applications made by Chamberlain Highbury Trust which has been very positive. There has however been a small hiatus through November and December in progressing legal documents. Therefore, the report was there to address these matters with the committee and to establish that the documentation is important to progress the bigger issues for hybrid trust and that there has been a reminder that all finances for Trust matters will be contained within the Trust finances and therefore cost for external solicitors and other matters will be met from the Highbury Trust.

The first draft report came back from the Commissioners for comment reaffirming that any activity undertaken with regards to the Highbury Trust should be self-funded by what balance is available in the accounts. There have been interactions with Deborah Carter-Hughes and David Kidney of the Chamberlain Highbury Trust who gave a number of concerns with regards to the report going forward.

Councillor Pears raised the question of what would happen if receipts and dispersals were not received in a timely fashion. He further stated that six months was too long before we come back again to Council.

The Property Manager replied stating that officers are aware of the amount of time it has taken for the report to come back but they have been engaged with external solicitors who are engaging with the external solicitors for Chamberlain Highbury Trust. There are funds within the Highbury Trust account revenue funds which can be allocated to that and other matters at Highbury. Where there are disposals to be made, we may have to treat those as trust funds from which we can draw expenses in terms of legal costs of those and other disposals which is a normal process at the City Council.

The Director responded to a question regarding why up-to-date accounts were not available and stated that 2021 accounts were filed and audited and are online. In the year following that, there was a national issue over auditing of the Council's accounts and our Trust and Charities funds cannot have their audits completed until the Council audit has been completed. It was a national delay and then as members were made aware of more recently as the Council presented this to the Council meeting in September. The Council's own accounts have not been signed off for the last two years, they have now been signed off and there has been engagement with the auditors to complete the reviews of all the Trust and Charities that need it. Charities Commission have been kept informed of this and updated again this week on the current position.

## **Trust and Charities Committee – 15 January 2024**

Regarding the Highbury Trust there is over £2,000,000 within there and it continues to receive interest. The Highbury Trust draw from it annually for their costs. There are funds within that with regards to disposals. If there is an asset that is to be dissolved it is standard Council practice to have the legal costs and surveyor costs as a charge for capital receipt.

The City Solicitor added further comments and stated that there are external solicitors working on this project and they are close to finalising the documentation. Therefore, funds need to be released for them to carry on the work. The City Solicitor asked for clarification on whether those funds were available at present. Furthermore, he stated that subject to finance being released a report may be able to be submitted so there is some indication as to the documents being finalised. Cash flow is often a problem for Trust and Charities in which Highbury Trust is an example of.

Councillor Davis stated that he made his position and view clear and did not want to say anything that would impact the negotiation between the Highbury Trust and the Council's representatives.

1121

### **RESOLVED: -**

The Committee agreed to accept the recommendations in the report, the changes to management of the Highbury Estate agreed at the previous meetings and set out in Appendix one to continue to be progressed and update the committee, approve the external advisors legal fees, costs and disbursements in resolving those changes will now be met from the funds of the Highbury Estate, which will be enhanced in due course by the capital receipts obtained from the agreed property disposals, authorities that the Chief Legal Officer and City Solicitor engage with external advisers and prepare, negotiate, execute, seal and complete all necessary documentation and undertake any required consultation and advertisements or other notices to give effect to the above decisions.

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### **DATE AND TIME OF NEXT MEETING**

The committee noted the date of the next meeting is 11 March 2023  
11:30AM in Committee Room 2.

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### **OTHER URGENT BUSINESS**

None submitted.

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### **AUTHORITY TO CHAIR AND OFFICERS**

1122

### **RESOLVED: -**

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer has authority to act on behalf of the Committee.

**Trust and Charities Committee – 15 January 2024**

The meeting ended 1209 hours.

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CHAIR